

Talking Points Memo

May 12, 2010

At a congressional hearing today, Rep. Bruce Braley (D-IA) went after Transocean CEO Steven Newman over why forms were presented to rig workers right after the accident stating they were not injured.

As TPMmuckraker explained [earlier](#), rescued rig workers were asked by Transocean officials to sign forms saying both that they were not hurt, and that they were "not a witness to the incident requiring the evacuation and have no first hand or personal knowledge regarding the incident."

Lawyers say these forms are often used later to fight lawsuits by injured workers or impeach the credibility of witnesses in cases involving responsibility for the the accident. Some of the Transocean workers have said they felt coerced into signing the forms at a hotel where they were brought after the accident.

Pressed by Braley, who mentioned NPR's [reporting](#) on the matter, a clearly uncomfortable Newman said several times he wasn't sure what happened with the forms because he was not personally on the scene. He promised to produce the names of the members of Transocean's "support team" that gave the forms to the workers.

And in a particularly striking exchange, Newman acknowledged that the experience of one worker who signed a form would in fact constitute "firsthand or personal knowledge" of what happened.

Here's the transcript of that exchange.

BRALEY: He saw multiple explosions and flames coming out of the derrick, he saw men pile

into one lifeboat while two others burned. he saw his friends and coworkers with burning flesh and broken bones. he lived through this disaster and saw those things that I hope you and I never have to experience in our life.

Can you tell us why he was asked to sign a statement that he had no first-hand or personal knowledge regarding the incident after experiencing that?

NEWMAN: One of our concerns in the aftermath of this event, congressman, is to conduct as thorough a fact-finding exercise as we can. And part of the facilitation of that fact-finding exercise is to identify individuals who might have helpful knowledge.

BRALEY And wouldn't you agree with me that a reasonable interpretation of the words 'firsthand or personal knowledge regarding the incident' might mean people who had witnessed the aftermath of that explosion and the impact that it had on employees who were working on that rig?

NEWMAN: I'm not sure I can -- do you want to engage in a debate about the terminology?

BRLAEY: I'm not trying to engage in a debate. I'm just asking if that wouldn't be a reasonable understanding that someone who had witnessed the things that Mr. Choy described would have firsthand or personal knowledge regarding the incident?

NEWMAN: That might be true.